

**PROFESSIONAL HYDROLOGISTS SECTION  
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,  
HYDROLOGISTS AND SOIL SCIENTISTS  
MINUTES  
MADISON, WISCONSIN  
August 24, 1999**

**PRESENT:** Stephen Donohue, Herbert Garn, Robert Karnauskas

**STAFF PRESENT:** Alfred Hall and Becky Fry; Darwin Tichenor was present for a portion of the meeting.

**EXCUSED:** Roger Hall

Alfred Hall informed the Section that Roger Hall had surgery yesterday and is expected to be out for a while.

**CALL TO ORDER**

The meeting was called to order at 9:25 a.m. by Stephen Donohue, chair. A quorum of three members was present.

**ADOPTION OF AGENDA**

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES (7/14/99)**

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to approve the minutes with the correction to the next meeting date to read September 9, 1999 as a tentative meeting date and September 17, 1999 as the next scheduled meeting. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Bureau Director's Report**

Alfred Hall indicated that if the Section had questions for Secretary Cummings, she was available.

- **Application Processing**

The Section questioned the possibility of having copies of the applications sent to Section members to be reviewed.

Alfred Hall reminded the Section that objectivity and consistency in the application review process is crucial to avoid future conflicts. He informed the Section that he appeared before the Senate Committee on Economic Development, Housing and Government Operations. He indicated that individuals appeared with concerns on the application review process and the statutory requirements for licensure for wetland delineation and ordinary high-water mark determination and a proposed exemption from professional hydrology, soil science and geology licensure for government employees who do wetland delineation and ordinary high-water mark determination. The Senate Committee is asking for recommendations to resolve the concerns that were raised.

The Section agreed that wetland delineation does not require a professional hydrology license. They also agreed that if government employees who do wetland delineation and ordinary high-water mark determination are exempt from licensure, the private individuals should be exempt also.

**MOTION:** Robert Karnauskas moved, seconded by Herbert Garn, to authorize Alfred Hall to draft a response to the Senate Committee regarding the concerns raised in relation to wetland delineation and the application review process. Motion carried unanimously.

- **Documentation of Communication on Behalf of the Section/Board**

Alfred Hall informed the Section that any type of communication or correspondence that occurs on behalf of the Board or Section must come through the board office to be placed on letterhead.

Alfred Hall indicated a concern regarding a walking quorum in regards to issues that are related to the board which are being discussed between members.

Robert Karnauskas discussed the American Institute of Hydrology (AIH) meeting to be held on November 7-10, 1999. He questioned the use of email for communication between himself and AIH with relation to the agenda for the meeting.

Bill Black indicated that any official act on behalf of the Section or Board should be communicated through the department on letterhead.

The Section discussed the rationale for Robert Karnauskas and Darwin Tichenor attending the meeting.

- **2000 Meeting Dates**

The Section received a list of 2000 meeting dates.

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to approve the proposed 2000 meeting dates. Motion carried unanimously.

- **Procedures for Air Travel**

Alfred Hall informed the Section of a new travel agency handling air travel and indicated Roxanne Peterson should be contacted if Board members need travel reservations

### **LEGISLATIVE UPDATE**

Alfred Hall indicated that clarification was needed in the recommendations to the Board on the proposed exemption for wetland delineators.

The Section discussed whether wetland delineators needed exemption if the Section had agreed that individuals determining wetland delineation were not required to be licensed hydrologists.

Bill Black addressed the Section's concern in relation to wetland delineation exemptions.

### **ADMINISTRATIVE RULES UPDATE**

#### **SCR 99-088 Senate Committee on Economic Development, Housing and Government Operations Report**

Alfred Hall informed the Section that constituents in opposition to the proposed administrative rules raised concerns at the Senate Committee Hearing.

The Section received a copy of a facsimile from Representative Tim Hoven's office relating to a proposed exemption from professional geologist, hydrologist and soil scientists licensure for certain governmental employees who delineate wetlands or determine ordinary high-water marks.

**MOTION:** Robert Karnauskas moved, seconded by Herbert Garn, to agree with the intent of the proposed bill and to recommend including privately-employed individuals along with governmental employees for exemption from professional hydrology licensure for wetland delineation and ordinary high-water mark determination. Motion carried unanimously.

### **EXAMINATION ISSUES**

Darwin Tichenor provided copies to the Section, of information on the development of the hydrology exam questions and gave an update indicating which topics are still in need of exam items. He indicated that one more all-day item-writing workshop is needed.

The Section suggested and Mr. Tichenor agreed to hold the item-writing workshop on September 22, 1999.

Darwin Tichenor reviewed the schedule for final review of the exam and indicated that the exam is scheduled to be given January 22, 2000.

## **PRACTICE ISSUES**

### **Certified Remediation Professional, 4/21/99, Blanchard**

Alfred Hall explained that in the letter dated April 21, 1999 from the Department of Commerce, the Section is being informed that there is no need to further define supervisors in charge. The letter indicated that it is their recommendation that only individuals licensed by the Department of Regulation and Licensing as professional engineers, professional geologists, professional hydrologists, or professional soil scientists could be supervising professionals rather than to create a separate certification.

The Section discussed the issue of licensed site professional.

**MOTION:** Stephen Donohue moved, seconded by Herbert Garn, to recommend to the Joint Board and Secretary Cummings, to form a subcommittee consisting of members from the Hydrology Section, the Soil Scientist Section, the Geologist Section, and the Engineering Profession to deal with issues of certified remedial professional and current professional standards to see if revisions are warranted commensurate with the proposed site remediation professional and to assure that site closure does not get delegated to the supervising professional. Motion carried unanimously.

## **AMERICAN INSTITUTE OF HYDROLOGY**

### **Application Information**

Noted.

### **Fourth USA/CIS Joint Conference on Environmental Hydrology and Hydrogeology Update**

Noted.

**MOTION:** Stephen Donohue moved, seconded by Robert Karnauskas to defer until after closed session, agenda item 8, Practice Issues, and agenda item 10, New Business. Motion carried unanimously.

## **NEW BUSINESS**

None

## CONVENE TO CLOSED SESSION

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or discipline (s. 19.85(1)(b), Stats.), to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.), and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Specifically, to review pending applications, and to hold class 1 hearings on denied applications for Fred Bailey and Gerald Berg. Motion carried by roll call vote: Herbert Garn-yes; Robert Karnauskas-yes; Stephen Donohue-yes.

Open Session recessed and the Closed Session convened at 11:22 a.m.

## CLOSED SESSION

The Board received a copy of the Case Status Report.

Brian D. Bates, Bonnie J. Goodweiler, Kim M. Elias, Thomas M. Blake, and Mark Cain appeared for class 1 hearings.

The Section reviewed licensure applications and deliberated on class 1 hearings.

## RECONVENE TO OPEN SESSION

By consensus, Open Session reconvened at 4:25 p.m.

## VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

### CLASS 1 HEARINGS ON DENIED APPLICATIONS

**MOTION:** Herb Garn moved, seconded by Robert Karnauskas, to hold the application for **Brian D Bates**, for additional information on when his effective completion date was for preparation of his thesis in defense, for registration as a Professional Hydrologist. Motion carried unanimously.

**MOTION:** Herb Garn moved, seconded by Robert Karnauskas, to deny the applications for **Bonnie J. Goodweiler and Mark Cain**, for registration as a Professional Hydrologist. Motion carried unanimously

**MOTION:** Herb Garn moved, seconded by Robert Karnauskas, to approve the applications for **Kim M. Elias and Thomas M. Blake**, for registration as a Professional Hydrologist. Motion carried unanimously.

### PENDING APPLICATIONS

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to deny the application for **Peter Jopke**, reviewed by the Section for registration as a Professional Hydrologist. Motion carried unanimously.

## **SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

**MOTION:** Robert Karnauskas moved, seconded by Herbert Garn, to accept the course list used by the American Institute of Hydrology in determining whether applicants meet core and related course requirements related to hydrology and water resources for a professional hydrology license. Motion carried unanimously.

**MOTION:** Robert Karnauskas moved, seconded by Herbert Garn, to delegate authority to two members of the section to approve applications. Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** Herbert Garn moved, seconded by Robert Karnauskas, to adjourn the meeting at 4:49 p.m. Motion carried unanimously.